

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
NELSON ISRAEL JUAREZ SOSA,  
  
Defendant.

CASE NO. CR19-0187-JCC  
  
ORDER

This matter comes before the Court on Defendant Nelson Israel Juarez Sosa's motion to proceed with a telephonic or video sentencing (Dkt. No. 77). Having considered the parties' briefing and the relevant record, the Court hereby GRANTS the motion for the reasons explained herein.

**I. BACKGROUND**

On October 2, 2019, a grand jury indicted Juarez Sosa for possession of heroin with intent to distribute. (Dkt. No. 1 at 3.) On February 10, 2020, Juarez Sosa pleaded guilty. (Dkt. No. 49.) Juarez Sosa's in-person sentencing was originally set for April 28, 2020. (*Id.*) However, due to the COVID- 19 pandemic, the Court was forced to postpone Juarez Sosa's sentencing first to June 9, 2020, and subsequently to August 11, 2020. (Dkt. Nos. 63, 65.) Although Juarez Sosa's sentencing is currently set for August 11, that sentencing cannot take place in-person until

at least September 8, 2020, because of the recent rise in COVID-19 cases in Washington.<sup>1</sup> *See* W.D. Wash., General Order No. 11-20 at 1–2 (July 30, 2020). To avoid further delays, Juarez Sosa moves to have his sentencing proceed by video or telephonic conference. (Dkt. No. 77 at 2–3.)

## II. DISCUSSION

On March 30, 2020, Chief Judge Ricardo S. Martinez issued General Order 04-20, which states in relevant part,

The use of video conferencing or telephone conferencing for felony pleas under Fed. R. Crim. P. 11 and felony sentencings under Fed. R. Crim. P. 32 is hereby authorized provided that the district judge in a particular case finds for specific reasons that the plea or sentencing in that case cannot be further delayed without serious harm to the interests of justice. In cases that can be further delayed without such harm, the district judge should instead continue the sentencing or trial date.

W.D. Wash., General Order 04-20, at 2–3 (Mar. 30, 2020); *see* W.D. Wash., General Order 11-20, at 2 (July 30, 2020) (continuing General Order 04-20 through September 8, 2020).

Delaying Juarez Sosa’s sentencing would cause serious harm to the interests of justice in this case. Under General Order 11-20, in-person criminal hearings in the Seattle Courthouse of the Western District of Washington will not resume until at least September 8, 2020. General Order 11-20, at 2. Thus, absent the Court’s intervention, Juarez Sosa cannot be sentenced in person until at least September 8, 2020, despite having pleaded guilty over five months ago. (Dkt. No. 49.) Juarez Sosa will be prejudiced if his sentencing is delayed until in-person hearings resume, as he plans to ask for a time-served sentence and has an interest in the speedy resolution of this matter. (*See* Dkt. No. 77 at 2.) The Court therefore FINDS that Juarez Sosa’s sentencing “cannot be further delayed without serious harm to the interests of justice.” W.D. Wash., General Order 04-20, at 2–3 (Mar. 30, 2020).

---

<sup>1</sup> For reasons unrelated to COVID-19, the Court must move Juarez Sosa’s sentencing to August 20, 2020.

1 **III. CONCLUSION**

2 For the foregoing reasons, the Court GRANTS Juarez Sosa's motion to proceed with a  
3 telephonic or video sentencing (Dkt. No. 77). Juarez Sosa's remote sentencing will occur on  
4 August 20, 2020, at 9:00 a.m.

5 DATED this 2nd day of August 2020.

6  
7  
8 

9 John C. Coughenour  
10 UNITED STATES DISTRICT JUDGE  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26